

Notice of Allowability

Application No.

10/001,356

Examiner

Sean Reilly

Applicant(s)

MATSUDA ET AL.

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/3/05.
2. ☒ The allowed claim(s) is/are 9-12 and 14-25.
3. ☒ The drawings filed on 31 October 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the following claim amendments in this examiner's amendment was given in a telephone interview with Thomas Basso on 8/10/05.

The application has been amended as follow:

IN THE CLAIMS:

1. With regard to claims 9-12, 14-16, 20, 22, 24, and 25, each instance of the term "**storing** means" is **replaced** with "**storage means.**"

IN THE TITLE:

Replace the title with the following: "Advertising and Managing Communities within a Virtual Space"

Allowable Subject Matter

Claims 9-12 and 14-25 are allowed.

The following is an examiner's statement of reasons for allowance:

With regard to independent claims 14, 15, and 16, the prior art of record does not disclose an apparatus as claimed, and as enabled by the specification, comprising means for extracting a time point corresponding to a time when a latest message was written and sending means for sending an e-mail to an owner of a bulletin board having the latest message *if the time point extracted by the extracting means is before a prescribed time point in combination with storing* positional information of communities in the virtual space and storing information relating to a newly generated community, which is to be written to bulletin boards of communities that are near the newly generated community.

“Positional information” is limited to the position of a community within the defined *virtual* space (virtual geography) as found in the specification pg 10, lines 4-8 and illustrated in figure 5. Applicant’s arguments also further clarify the meaning of this limitation in the response dated 4/1/05, pgs 9-10 and are incorporated within.

It is noted is for the record that the claims were amended to replace the term “**storing** means” with the term “**storage** means” in order to comply with the requirements set forth under 35 U.S.C. 101. Specifically the term was amended to restrict applicant’s claimed invention to the **physical** storage (within computer readable memory) of the recited information and not the mere act of **storing** (e.g. a software process commanding the storage of some data).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."